**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.1668 OF 2007**

M/s.Amsons Tours & Travels .. Petitioner.
Versus
Vijay Bapu Dalvi & Ors. .. Respondents.

Mr.Dilip Mandavia a/w Mr.Neel Helekar for petitioner.

**CORAM : A.M.KHANWILKAR, J.**
**DATE : 3rd December, 2007.**

**P.C.:**

1. Heard Counsel for the petitioner.

2. Two Courts below have considered the materials on record. The lower Court has recorded positive finding of fact that it is a case of oral termination of the respondents without following due process of Law. That finding is supported by materials on record. Merely because another opinion is possible on the basis of the persuasive arguments canvassed before this Court, cannot be the basis to entertain the present writ petition. In my opinion, no case for exercising writ jurisdiction is made out.

3. Even with regard to the direction of reinstatement, having regard to the findings recorded by

the lower Court, which in my view, has been rightly affirmed by the Revisional Court. There is no merit in the grievance of the petitioner. The fact recorded by the lower Court that there are no pleadings in relation to gainful employment of the respondents, is not seriously disputed. Counsel for the petitioner, however, contends that those pleadings are vague and would not absolve the Court from the obligation of considering the relevant factors before issuing directions of reinstatement.

4. In my opinion, no fault can be found with the view taken by the two Courts below, even on this count. The view so taken is a possible view. Hence, no interference is warranted. Petition is dismissed.

**(A.M.KHANWILKAR, J.)**